



## **PLANNING COMMISSION SYNOPSIS**

**Wednesday, June 15, 2005**

6:00 p.m. Regular Meeting  
Council Chambers, Room 205, City Hall

801 North First Street  
San Jose, California

**Bob Levy, Chair**  
**Bob Dhillon, Vice-Chair**

**Xavier Campos      Jay James**  
**Dang T. Pham**  
**Christopher Platten      James Zito**

**Stephen M. Haase, Director**  
**Planning, Building and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good evening, my name is **Bob Levy** and I am the Chair of the Planning Commission. On behalf of the entire Planning Commission, I would like to welcome you to the Planning Commission Public Hearing of ***Wednesday, June 15, 2005***. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located on the table by the door or at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for this hearing is as follows:

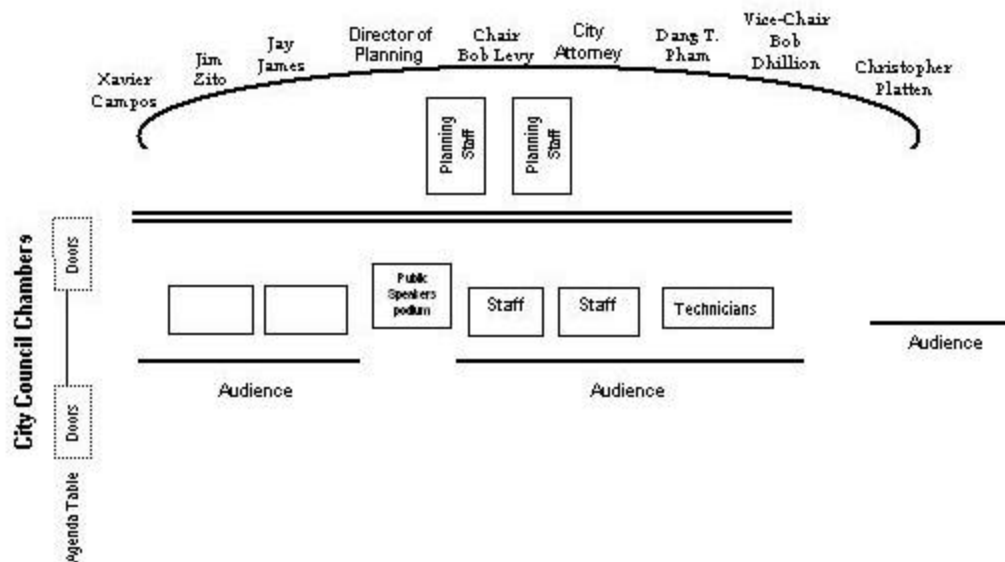
- After the staff report, applicants and appellants may make a 5-minute presentation.
- The chair will call out names on the submitted speaker cards in the order received.
- As your name is called, line up in front of the microphone at the front of the Chamber. Each speaker will have two minutes.
- After the public testimony, the applicant and appellant may make closing remarks for an additional five minutes.
- Planning Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The public hearing will then be closed and the Planning Commission will take action on the item. The Planning Commission may request staff to respond to the public testimony, ask staff questions, and discuss the item.

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Commission's action on rezoning, prezonings, General Plan Amendments and Code Amendments is advisory only to the City Council. The City Council will hold public hearings on these items.** Section 20.120.400 of the Municipal Code provides the procedures for legal protests to the City Council on rezonings and prezonings. The Planning Commission's action on Conditional Use Permit's is appealable to the City Council in accordance with Section 20.100.220 of the Municipal Code. Agendas and a binder of all staff reports have been placed on the table near the door for your convenience.

**Note:** If you have any agenda questions, please contact Olga Guzman at [olga.guzman@sanjoseca.gov](mailto:olga.guzman@sanjoseca.gov)

The Planning Commission is a seven member body, appointed by the City Council, which makes recommendations to the City Council regarding the adoption, amendment, or repeal of general or specific plans, and regulation of the future physical land use development, redevelopment, rehabilitation or renewal of the City, including its Capital Improvement Programs. The recommendations to the Council regarding land use development regulations include, but are not limited to, zoning and subdivision recommendations. The Commission may make the ultimate decision on Conditional Use Permits, and acts as an appellate body for those persons dissatisfied with the Planning Director's decisions on land use and development matters. The Commission certifies the adequacy of Environmental Impact Reports.



The San Jose Planning Commission generally meets every 2<sup>nd</sup> and 4<sup>th</sup> Wednesday at 6 p.m., unless otherwise noted. The remaining meeting schedule is attached to this agenda and the annual schedule is posted on the web at <http://www.sanjoseca.gov/planning/hearings/index.htm> Staff reports, etc. are also available on-line. If you have any questions, please direct them to the Planning staff at (408) 277-4576. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**AGENDA**  
**ORDER OF BUSINESS**

**1. ROLL CALL**

**ALL WERE PRESENT EXCEPT JAMES AND PLATTEN**

**2. DEFERRALS**

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. A list of staff-recommended deferrals is available on the Press Table. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

**3. CONSENT CALENDAR**

**NOTICE TO THE PUBLIC**

**The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Planning Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.**

**The following items are considered individually.**

**4. PUBLIC HEARINGS**

- a. **CP05-005**. Conditional Use Permit to allow a vacant Public School to be used for Private School purposes on a 1.5 gross acres site in the R-1-8 Single-Family Residence Zoning District, located on southwest corner of Shawnee Lane and Mescalero Drive (500 SHAWNEE LN) (Oak Grove S D, Owner). Council District 2. SNI: None. CEQA: Exempt. Deferred from 6-6-05.

**APPROVED (5-0-2; JAMES, PLATTEN ABSENT)**

*COMMISSIONER LEVY CONFIRMED WITH THE APPLICANT THAT SCHOOL FIELDS WILL BE AVAILABLE TO THE PUBLIC AFTER SCHOOL HOURS. COMMISSIONER PHAM CLARIFIED THAT 700 STUDENTS WOULD BE ULTIMATE LEVEL, WITH 450 LIKELY THIS FALL. THE APPLICANT FURTHER CLARIFIED THAT THE PUBLIC SCHOOL HAS BEEN CLOSED 10YRS, WITH OTHER PRIVATE SCHOOLS OVER THE YEARS. APPLICANT CLARIFIED TYPICAL SCHOOL HOURS WITH BEFORE AND AFTER SCHOOL WITH 6 OR 7 EVENING EVENTS AS TYPICAL FOR SCHOOL, AND THAT A NEIGHBORHOOD MEETING HAD BEEN HELD. COMMISSIONER CAMPOS*

*ASKED FOR CLARIFICATION OF ATTENDANCE AREA AND APPLICANT COMMENTED THAT INITIALLY, MOST WOULD BE FROM A FAIRLY WIDE AREA, BUT OVER TIME WOULD LIKELY BE MORE LIKE A 3-MILE RADIUS. THE TRAFFIC CONSULTANT CLARIFIED THE ANALYSIS OF THE TRAFFIC PATTERN, AND IN RESPONSE TO COMMISSIONER CAMPOS, EXPLAINED THAT THE ANALYSIS LOOKED AT LOCAL AND REGIONAL IMPACT. THE APPLICANT INDICATED AN ALTERNATE ROUTE HAD BEEN SUGGESTED TO PARENTS TO HELP OPERATIONS NEXT TO EXISTING SCHOOL, AND HOURS HAD BEEN STAGGERED. PUBLIC WORKS STAFF EXPLAINED TRAFFIC ANALYSIS WAS WORST CASE SCENARIO, AND THE SCHOOL WOULD HAVE A TRAFFIC OPERATION PLAN AND STAGGERED STUDENT ARRIVAL HOURS. COMMISSIONER PHAM CLARIFIED WITH STAFF THAT EARLIEST ARRIVAL TIME WOULD BE 7- 7:45 AM FOR 70 STUDENTS. IN RESPONSE TO COMMISSIONER ZITO, STAFF CLARIFIED THAT THE TRAFFIC MANAGEMENT PLAN WAS REQUIRED TO BE ON FILE IN PLANNING, AND COULD BE MODIFIED TO THE SATISFACTION OF THE DIRECTOR OF PLANNING IF NEW INFORMATION OR TRAFFIC ANALYSIS SHOWED CHANGES WERE WARRANTED.*

- b. [CP05-006](#). Conditional Use Permit request to allow a private school(Challenger School, preschool – 8<sup>th</sup> Grade ) on the 6.3-acre site of a former public elementary school (Lone Hill School) in the R-1-8 Single-Family Residence Zoning District, located on the west side of Harwood Road, approximately 200 feet northerly of Michon Drive (4949 HARWOOD RD) (Union S D, Owner). Council District 9. SNI: None. CEQA: Exempt. Deferred from 6-6-05.

**APPROVED (5-0-2; JAMES, PLATTEN ABSENT)**

*COMMISSIONER CAMPOS CLARIFIED WITH THE APPLICANT THAT 675 STUDENTS WOULD BE THE MAXIMUM ENROLLMENT, EVEN THOUGH PRIOR SCHOOL HAD 778 STUDENTS. APPLICANT CLARIFIED THAT SOME BUILDINGS IN ORIGINAL SCHOOL HAD BEEN REMOVED WHICH REDUCED CAPACITY, AND THAT 400 STUDENTS ANTICIPATED NEXT YEAR. IN RESPONSE TO COMMISSIONER ZITO, THE APPLICANT CLARIFIED THAT TWO NEW CHALLENGER SCHOOLS HAVE JOINT ENROLLMENT OF 30 OR MORE FOR THE NEXT YEAR THAN TWO SCHOOLS CLOSING, IN MORE STRATEGIC LOCATIONS.*

- c. [CP05-022](#). Conditional Use Permit to an entertainment establishment with late night use until 2:00 a.m. where the previous Conditional Use Permit RCP99-015 has expired on a 0.15 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the southeast corner of East San Salvador and South First Street (400 S 1ST ST) (Berg Richard P And Made S Trustee, Owner). Council District 3. SNI: None. CEQA: Exempt.

**APPROVED (5-0-2; JAMES, PLATTEN ABSENT)**

*WITH CONDITIONS THAT CUSTOMER LINE BE IN QUEUE DOWN SAN SALVADOR STREET. IN RESPONSE TO COMMISSIONER CAMPOS, STAFF CLARIFIED THE PERMIT HISTORY ON SITE. IN RESPONSE TO COMMISSIONER PHAM, THE APPLICANT CLARIFIED NO FOOD WOULD BE SERVED AT THE NIGHTCLUB, AND ASKED FOR CLARIFICATION ABOUT HOW*

*PUBLIC WOULD BE ASSURED NO PROBLEMS FROM NIGHTCLUB PATRONS. STAFF CLARIFIED CONDITIONS IN PERMIT REGARDING QUEUING, THAT ALL OPERATION WOULD BE INDOORS, AND THAT BUSINESS CAN'T OPERATE AS A NUISANCE. A BUSINESS OWNER ON SOUTH FIRST STREET EXPRESSED CONCERNS ABOUT LINES FORMING IN FRONT OF HIS BUSINESS, AND COMMENTED POLICE OPERATIONS TO "CLOSE DOWN" AROUND 1AM EVERY WEEKEND WERE HARMFUL TO HIS BUSINESS AND DID NOT RESULT IN FRIENDLY ATMOSPHERE DOWNTOWN. COMMISSIONER LEVY COMMENTED THAT THE CITY HAS POLICY TO PROMOTE NIGHTLIFE IN DOWNTOWN, AND ASKED FOR ANY CONCERN SPECIFIC TO PROPOSED USE. THE NEIGHBORING BUSINESS OWNER INDICATED THAT MOVING NIGHTCLUB BOS OFFICE TO OTHER SIDE WOULD HAVE A LINE FORM ON SAN SALVADOR, NOT SOUTH FIRST. IN RESPONSE TO COMMISSIONER ZITO, THE APPLICANT AND STAFF CLARIFIED SIGNIFICANT EFFORT TO MOVE REFRIGERATOR UNIT, AND THAT COMMISSIONER CAMPOS STATED CONCERN THAT THE NIGHTCLUB IS AN OLD THEATER BUILDING AND SHOULD NOT BE MODIFIED FROM HISTORIC LOOK, AND STAFF CONCURRED. COMMISSIONER ZITO SUGGESTED OPTION TO REQUIRE QUEUE TO RUN DOWN SAN SALVADOR AT ALL TIMES AND THANKED COMMISSIONER CAMPOS AND STAFF FOR CLARIFICATION OF HISTORIC BUILDING CONCERN. COMMISSIONER ZITO AND LEVY THANKED THE PROXIMATE BUSINESS OWNER FOR HIS INPUT, AND SUGGESTED HE PROVIDE COMMENTS TO THE POLICE DEPARTMENT.*

- d. [CP04-112](#). Conditional Use Permit to allow automobile rental and live/work uses on a 0.21 gross acre site in the CG General Commercial Zoning District, located at/on northwest corner of Santa Clara Street and 10th Street (449 E SANTA CLARA ST) (Bai An Tran And Ha Thi Manh, Owner). Council District 3. SNI: 13th Street. CEQA: Exempt.

**APPROVED (5-0-2; JAMES, PLATTEN ABSENT)**

*COMMISSIONER ZITO ASKED APPLICANT ABOUT BUSINESS OPERATIONS IN THREE OTHER CITIES, AND COMMENTED THAT HE HOPED THIS BUSINESS WOULD BE IN PLACE LONGER THAN A YEAR. COMMISSIONER CAMPOS CLARIFIED THE NICHE BUSINESS WAS CLASSIC SPORTS CAR RENTALS. COMMISSIONER ZITO NOTED LIMITATIONS ON USE OF EQUIPMENT DUE TO PROXIMITY OF SINGLE FAMILY RESIDENCE AND ASKED APPLICANT TO COMMENT. APPLICANT COMMENTED THAT CARS WERE MAINTAINED AT SHOP IN SANTA CLARA, AND WASHED AT OFF SITE CAR WASH NEARBY.*

- e. [PDC05-014](#). Planned Development Rezoning from LI Light Industrial Zoning District to A(PD) Planned Development Zoning District to allow the construction of up to 202 single-family attached residential units and a public park on an approximately 9.6 gross acre site, located at the northeast corner of Berryessa Road and Oakland Road (950 Oakland Road) (Modern Ice & Cold Storage Co, Owner). Council District 3. SNI: 13th Street. CEQA: Mitigated Negative Declaration.

**RECOMMEND APPROVAL (5-0-2; JAMES, PLATTEN ABSENT)**

*STAFF RECOMMENDATIONS WITH THE ADDITIONAL RECOMMENDATION THAT THE REZONING PERMIT LIVE/ WORK UNITS ON OLD OAKLAND ROAD. FOLLOWING THE APPLICANT'S PRESENTATION, A REPRESENTATIVE OF THE 13<sup>TH</sup> STREET NAC EXPRESSED THAT THE NAC IS ENTHUSIASTIC ABOUT THE PROJECT AND WANTS AN URBAN DEVELOPMENT WITH HIGH DENSITY AND HIGH NUMBER OF UNITS. IN RESPONSE TO COMMISSIONER ZITO, HE EXPLAINED PROJECT SITE WILL PROVIDE NEW CUSTOMERS TO REVITALIZE THE NEIGHBORHOOD BUSINESS DISTRICT (NBD), AND ALSO STATED THAT LIVE/WORK UNITS COULD BE A GOOD ADDITION TO PROJECT. THE APPLICANT EXPLAINED SITE CONSTRAINTS HIGHLIGHTING PLAN REVISIONS ALREADY MADE, AND EXPRESSING CONCERN REGARDING STAFF RECOMMENDED INCREASE IN SETBACKS, NOTING COMMUNITY AND VTA REQUEST URBAN PROJECT. COMMISSIONER CAMPOS ASKED WHETHER REDUCED SETBACKS WOULD AFFECT PEDESTRIAN SAFETY, AND STAFF AND APPLICANT STATED SIDEWALK AND STREET CURVES DESIGNED TO FULL REQUIRED WIDTHS AND MET FIRE DEPARTMENT AND WASTE COLLECTION SPECIFICATIONS.*

*STAFF CLARIFIED PROPOSED 25 FT SETBACK FOR PRIVATE OPEN SPACE WAS IN RESPONSE TO NOISE LEVELS FROM TRAFFIC ON OLD OAKLAND ROAD WHICH WOULD EXCEED HAZARDOUS LEVEL 76LDN, AND THAT SETBACK SHOULD BE PROVIDED, OR PATIOS AND BALCONIES REMOVED. STAFF REITERATED THAT AMOUNT OF PRIVATE OPEN SPACE COULD BE ADEQUATE, GIVEN PARK ON SITE, AND THAT THIS IS A ZONING WHICH COULD HAVE DIFFERENT PROPOSED SITE PLAN, BUT IN RESPONSE TO COMMISSIONER ZITO, BOTH STAFF AND APPLICANT STATED NO REVISED SITE PLAN HAD BEEN DESIGNED TO DATE.*

*STAFF SUMMARIZED THAT MANY COMPANIES HAD BEEN MADE TO ACCOMMODATE HOUSING PROJECT ON SITE, BUT THAT NOISE ISSUE ON PRIVATE OPEN SPACE WAS TOO IMPORTANT. COMMISSIONER DHILLON ASKED FOR THE AVERAGE SETBACK OF CONCEPTUAL SITE PLAN TO WHICH STAFF ESTIMATED 12-14 FT, AND THE APPLICANT NOTED CLOSER TO 15 FT AT MOST LOCATIONS. COMMISSIONER ZITO COMMENTED THAT STAFF'S RECOMMENDATIONS WOULD STILL ALLOW UNIT COUNT, AND THAT A PODIUM STRUCTURE COULD POSSIBLY HELP ACHIEVE DEVELOPMENT STANDARDS, TO WHICH THE APPLICANT STATED PODIUM OWNERSHIP PROJECTS ARE STILL RARE IN SAN JOSE.*

*STAFF REITERATED THAT STAFF RECOMMENDED CONDITIONS WOULD NOT NECESSARILY RESULT IN FEWER UNITS AND THAT ALTERNATIVES TO EVALUATE NEW OPEN SPACE LOCATIONS, MIX OF UNIT TYPES OR NEW PRODUCT TYPE COULD OCCUR AT PD PERMIT STAGE. COMMISSIONER ZITO COMMENTED THAT HE BELIEVED APPLICANT'S CONSULTANT TEAM HAD GOOD RECORD FOR DEVELOPMENT IN SAN JOSE, BUT THAT STAFF HAS SIGNIFICANT CONCERN REGARDING NOISE SAFETY ISSUE, AND HAD OTHERWISE BEEN FLEXIBLE ON OTHER POINTS. COMMISSIONER LEVY CONCURRED, AND STATED PERHAPS TOO MUCH WAS BEING SQUEEZED ON*



*THE SITE, THAT THE CITY SHOULDN'T BEND RULES ABOUT NOISE SAFETY, AND THAT THIS PROPOSED LEVEL OF DENSITY WITH A PARK ON-SITE MIGHT BE THE BEST PROPOSAL FOR YEARS AND SHOULD BE SUPPORTED. HE ASKED IF LIVE/ WORK UNITS COULD BE INCORPORATED IN THE MOTION TO APPROVE, AND THEY WERE.*

- f. The projects being considered are located on a 55.4 gross acre site, located on the north side of Curtner Avenue between Monterey Road and Little Orchard Street (175 CURTNER AVENUE) (General Electric Company, Owner/Developer). Council District 7. SNI: None. CEQA: EIR Resolution to be adopted.
1. **FINAL ENVIRONMENTAL IMPACT REPORT** for the General Electric Facility Planned Development Zoning (File No. PDC04-029) to allow the development of approximately 646,000 square feet of retail commercial uses on an approximately 55-acre site. The property currently contains the existing GE facility, which consists of office/manufacturing buildings, pavement, and limited landscaping. The project proposes to retain the office portion of the historic GE Motor Plant Building. (SCH # 2004062104). Circulated April 5, 2005 to May 19, 2005.

**CERTIFIED EIR (5-0-2, JAMES, PLATTEN ABSENT)**

*THE APPLICANT CLARIFIED PARTIAL MITIGATION OF CULTURAL RESOURCE IMPACT.*

2. **PDC04-029**. Planned Development Rezoning to allow up to 646,000 square feet of commercial uses.

**RECOMMEND APPROVAL (5-0-2, JAMES, PLATTEN ABSENT)**

*STAFF CLARIFIED ADDITIONAL PERMITS BEING PROPOSED WITH REZONING, AND COMMISSIONER LEVY NOTED ITEMS F.2-4 WOULD BE DISCUSSED TOGETHER. FOLLOWING THE APPLICANT'S PRESENTATION. COMMISSIONER CAMPOS ASKED FOR CLARIFICATION ON WHETHER GE SIGN ON HISTORIC BUILDING WOULD BE PRESERVED. THE APPLICANT RESPONDED THAT WHILE GE SIGN NOT PROPOSED TO BE RETAINED, MITIGATION REQUIRED INCLUDES PHOTO DOCUMENTATION. COMMISSIONER LEVY STATED MORE WORK WAS NEEDED ON PEDESTRIAN ORIENTATION AND THAT VTA BUS STOPS SHOULD GUIDE LOCATION OF TOWN CENTER. THE APPLICANT NOTED NEED FOR TRAFFIC CIRCULATION BUT SUGGESTED VTA COULD BE APPROACHED TO RELOCATE BUS STOPS, AND THAT RETAIL IS MORE PEDESTRIAN ACCESIBLE THAN MANY CENTERS, AND THAT MOST RETAIL WOULD BE ONE STORY EXCEPTING HISTORIC BUILDING. COMMISSIONER ZITO COMMENTED MONTEREY AND OTHER CITIES OFTEN HAVE MULTI-LEVEL ARCADES IN OLDER INDUSTRIAL BUILDINGS, AND APPLICANT RESPONDED THAT IS STILL AN OPTION FOR THIS SITE WITH OFFICES AS ADDITIONAL OPTION. THE APPLICANT FURTHER NOTED CONSIDERABLE COUNCIL DIRECTION FOR RETAIL DEVELOPMENT ON THE SITE AT THE GENERAL PLAN AMENDMENT STAGE. COMMISSIONER*



*DHILLON EXPRESSED CONCERN THAT PROPOSAL DID NOT INCLUDE INDUSTRIAL USES AS WOULD BE PERMITTED UNDER COMBINED INDUSTRIAL/ COMMERCIAL GENERAL PLAN AND STAFF AND APPLICANT CLARIFIED COUNCIL DIRECTION PERTAINED ONLY TO RETAIL AND DIDN'T PRECLUDE INDUSTRIAL, AND THAT GE JOBS WOULD BE RELOCATED ACROSS THE STREET AND TESTING CENTER RETAINED ON SITE.*

*COMMISSIONER ZITO REITERATED HIS INTEREST IN RETENTION OF THE GE SYMBOL, ASKING IF IT WAS A LEGAL CONCERN. THE APPLICANT AND GE REPRESENTATIVE CLARIFIED ONLY SITES OCCUPIED BY GE EMPLOYEES COULD HAVE LOGO, BUT THAT CONCRETE BUILDING TO BE RETAINED WOULD HAVE CIRCULAR IMPRINT THAT WOULD NEED DESIGN TREATMENT. COMMISSIONER LEVY ASKED STAFF TO ADDRESS WHETHER COUNCIL DIRECTION FOR RETAIL PROJECT IS ADDRESSED. STAFF RESPONDED THAT CONCEPTUAL PLAN MIGHT BE 80 PERCENT IN AGREEMENT AND THAT STAFF HAD ADDED CONDITIONS TO STRENGTHEN PEDESTRIAN LINKAGES, AND TRY TO BREAK UP LARGE VIEWSHED OF INTERIOR PARKING AREA, THAT AN ADDITIONAL INTERIOR PAD BUILDING COULD ALSO STRENGTHEN TOWN CENTER, AND WAS CONFIDENT IMPROVEMENT COULD BE MADE AT PD PERMIT STAGE. STAFF FURTHER NOTED THAT BREAKING UP THE BUILDING MASS NEAR CURTNER AND MONTEREY TO RELATE TO TOWN CENTER COULD LIMIT ITS POSSIBLE USE FOR MOVIE THEATERS.*

*COMMISSIONER ZITO ASKED FOR MORE SPECIFICS ABOUT JOB RETENTION, TO WHICH APPLICANT RESPONDED 500 JOBS LIKELY TO BE RETAINED, THAT BUILDING HAD BEEN LEASED FOR 10 YEARS, AND THAT TESTING STRUCTURE SERVES THE WORLDWIDE OPERATION AND WOULD STAY VIABLE.*

*IN RESPONSE TO COMMISSIONER LEVY, STAFF COMMENTED PROPOSED SITE PLAN WAS "OVER PARKED" AND THAT PARKING COULD BE REDUCED TO ADD LANDSCAPING AND MORE PEDESTRIAN AMENITIES, A THAT TWO DRIVE-THRU USES ARE PROPOSED IN ZONING AND ADDITIONAL ONES WOULD REQUIRE A PD PERMIT, AND CONCURRED WITH THE COMMISSIONER LEVY THAT DRIVE-THRU USES WOULD BE INAPPROPRIATE NEAR THE TOWN CENTER. STAFF CLARIFIED NO ADDITIONAL PAD BUILDINGS WERE PROPOSED FOR MONTEREY ROAD WHICH COULD BLOCK VIEW OF HISTORIC BUILDING.*

*COMMISSIONER ZITO MOVED APPROVAL AND COMMENTED THAT AT THE GENERAL PLAN AMENDMENT STAGE, HE HAD BEEN CONCERNED ABOUT A MIXED INDUSTRIAL PROJECT, BUT NOW RECOGNIZED JOB RETENTION IN AREA. HE COMMENDED GE FOR RETAINING JOBS IN SAN JOSE, AND COMMENDED THE APPLICANT THAT REQUESTS BY HISTORIC ORGANIZATIONS HAD BEEN LARGELY MET, AND THAT HE LOOKED FORWARD TO FINAL DESIGN OF THE PROJECT.*

*COMMISSIONER LEVY COMMENTED THE APPLICANT HAD DONE A GOOD JOB TO MEET COUNCIL DIRECTION AND ENCOURAGED STAFF TO CONTINUE TO ADD PAD BUILDINGS ON CURTNER, AND TO ENHANCE PEDESTRIAN AMENITIES. COMMISSIONER ZITO ADDED THAT THE APPLICANT AND STAFF SHOULD WORK TO PRESERVE THE LOOK AND FEEL OF THE PLANT FACADES AND THE LOGO ELEMENT, AND ENCOURAGED THE APPLICANT TO GET CREATIVE IN NAMING THE CENTER.*

3. [SP05-015](#). Special Use Permit to allow the demolition of all existing buildings on-site except the motor plant building (Building E).

**RECOMMEND APPROVAL (5-0-2; JAMES, PLATTEN ABSENT)**

4. [TR05-055](#). Tree Removal Permit to allow the removal of up to 41 ordinance size trees (56 inches or greater in circumference) of various sizes and species.

**RECOMMEND APPROVAL (5-0-2; JAMES, PLATTEN ABSENT)**

**5. PETITIONS AND COMMUNICATIONS**

- a. Public comments to the Planning Commission on nonagendized items. Please fill out a speaker's card and give it to the technician. Each member of the public may address the Commission for up to three minutes. The commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Planning Commission is limited to the following options:
  1. Responding to statements made or questions posed by members of the public; or
  2. Requesting staff to report back on a matter at a subsequent meeting; or
  3. Directing staff to place the item on a future agenda.
- b. Distribution of Draft Supplemental Environmental Impact Report for the Almaden Tower (47 Notre Dame) Residential Project. The project proposes the construction of a 22-story, 350-unit residential condominium and a separate six-story mixed-use commercial/residential building with 35 residential condominium units and approximately 8,000 square feet of ground floor retail/commercial uses on a site bounded by Almaden Blvd., Notre Dame St., Carlyle St., and West Santa Clara St., adjacent to the De Anza Hotel. The project will remove the existing buildings on site, including the Palomar Ballroom (Tropicana Club). Distributed on May 27, 2005. Scheduled for July 27, 2005 Planning Commission.

*NONE*

**6. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES**

*NONE*

## 7. GOOD AND WELFARE

- a. Report from City Council

*NO REPORT*

- b. Commissioners' reports from Committees:

- Norman Y. Mineta San Jose International Airport Noise Advisory Committee (Dhillon and James).

*NO COMMISSIONER REPORT*

- Coyote Valley Specific Plan (Platten)

*NO COMMISSIONER REPORT*

- c. [Review of synopsis](#)

*NO COMMENT ON JUNE 6, 2005 SYNOPSIS*

- d. Possible Cancellation of July 13, 2005 hearing.

(5-0-2 JAMES, PLATTEN ABSENT) CANCELLED JULY 13, 2005 HEARING

## 8. ADJOURNMENT

## 2005 PLANNING COMMISSION MEETING SCHEDULE

January 12	5:00 p.m. - 6:00 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Meeting Logistics</i>	
January 12	6:00 p.m.	Regular Meeting	Council Chambers
January 26	6:00 p.m.	Regular Meeting	Council Chambers
Monday, February 7	4:45 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Jobs/Housing Imbalance</i>	
Monday, February 7	6:00 p.m.	Regular Meeting	Council Chambers
February 23	6:00 p.m.	Regular Meeting	Council Chambers
March 9	4:45 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of General Plan Amendments/development projects</i>	
March 9	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
March 23	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, April 11	CANCELLED	<i>Study Session</i>	Room 400
		<i>Discussion of Alcohol sales</i>	
Monday, April 11	6:00 p.m.	Regular Meeting	Council Chambers
April 27	6:00 p.m.	Regular Meeting	Council Chambers
Monday, May 2	4:00 p.m.	<i>Study Session</i>	Room 216B
		<i>Review CIP</i>	
Monday, May 2	6:00 p.m.	Regular Meeting	Council Chambers
May 11	4:00 p.m.	<i>Study Session</i>	Room 400
		<i>Discussion of Parks planning strategy (Joint session with Parks Commission)</i>	
May 11	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
May 25	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Thursday, June 2	5:00 p.m.	<i>Study Session</i>	Room 106E
		<i>Discussion of Jobs/Housing/Transportation Policy Update</i>	
Thursday, June 2	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Monday, June 6	6:00 p.m.	General Plan/Regular Meeting	Council Chambers
Tuesday, June 7	6:30 p.m.	General Plan/Regular Meeting	Health Bldg. Rm. 202A/B
June 8	CANCELLED	Regular Meeting	Council Chambers
Wednesday, June 15	6:00 p.m.	Regular Meeting	Council Chambers
June 22	6:00 p.m.	Regular Meeting	Council Chambers
July 13	6:00 p.m.	Regular Meeting	Council Chambers
July 27	6:00 p.m.	Regular Meeting	Council Chambers
August 10	6:00 p.m.	Regular Meeting	Council Chambers
August 24	6:00 p.m.	Regular Meeting	Council Chambers
September 14	6:00 p.m.	Regular Meeting	Council Chambers
September 28	6:00 p.m.	Regular Meeting	Council Chambers
October 12	6:00 p.m.	Regular Meeting	Council Chambers
October 26	6:00 p.m.	Regular Meeting	Council Chambers
November 9	6:00 p.m.	Regular Meeting	Council Chambers
November 16	6:00 p.m.	Regular Meeting	Council Chambers
December 7	6:00 p.m.	Regular Meeting	Council Chambers